

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

)	
Creation of)	MM Docket No. 99-25
a Low Power Radio Service)	
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)	

To the Commission:

Comments of Nickolaus E. Leggett

The following are formal comments from Nickolaus E. Leggett on the Second Order on Reconsideration and Further Notice of Proposed Rulemaking. I am one of the original petitioners who requested the establishment of the Low Power FM (LPFM) radio broadcasting service (Petition for Rulemaking RM-9208 July 7, 1997). I am a certified electronics technician (ISCET and NARTE) and a licensed Extra Class amateur radio operator (call sign N3NL). I am also an inventor holding three U.S. patents.

My comments are directed at the Commission's question: "Should all LPFM applications have primary status because LPFM stations are permitted to originate local programming?" (Paragraph 33 on Page 16)

Basic Purpose of the Low Power FM Radio Service

The basic purpose of the LPFM radio broadcasting service is to allow local community-based broadcasting. These small radio broadcasting stations are intended to allow local events such as school board meetings and town council meetings to be broadcast. LPFM also presents local news and bulletin coverage. In addition, local musicians, poets, rappers, actors, and authors have the opportunity to present their works on the air to the community.

The bottom line is that LPFM allows local material to be available on the air.

Basic Purpose of Translators

Translators are broadcast stations that relay program material from other areas into a community. Translators are anything but local. This basic purpose of translator stations is directly in conflict with the purpose of the LPFM radio broadcasting service.

LPFM Stations Must Have Primary Status

LPFM applications and existing LPFM stations must have primary status. LPFM stations must have priority over translator stations so that the local service of the LPFM stations is protected.

Without this protection, the large broadcasting organizations will easily displace or block local LPFM service with nationally networked program content broadcast by

translator stations. Since large organizations already dominate almost all of the broadcast media, protection must be provided to LPFM stations so that some local material will be available to listeners.

LPFM Stations' Obligations

In return for this protection, the LPFM stations should actually broadcast local programs. The Commission can certainly require this as a condition for granting primary status. However, requiring a "pledge to originate locally at least eight hours of programming per day" may be too strict a requirement. Requiring six hours of locally originated programming per day may be more realistic for a newly established station. Alternatively, a limited local requirement could be imposed for the first year with an increased requirement in subsequent years.

Requested Action for the Survival of the LPFM Service

Provide primary status for the LPFM radio broadcasting service applications.

Respectfully submitted,

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